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during such operation, opportunity to obtain a paper drinking cup not theretofore used by any person, free of charge.

"2. Every day or part of a day within which any such car is operated without affording such opportunity shall constitute a separate offense.

"3. Any person, copartnership, or corporation owning, operating, superintending, or managing any such car, or any person in charge of any such car, who shall be found guilty of failure to comply with the provisions of this section shall forfeit not less than \$25 nor more than \$100.

"4. Nothing herein contained shall interfere with the validity or enforcement of any rules or requirements of the State board of health."

SEC. 2. This act shall take effect and be in force from and after January 1, 1914.

State Board of Health—Powers and Duties of—Health Officers. (Chap. 674, Act July 29, 1913.)

SECTION 1. There are added to the statutes six new sections and two new subsections to read:

"SEC. 1407a-1. 1. The State board of health shall establish the following bureaus, together with such other bureaus as said board may from time to time determine:

"(1) Bureau of vital statistics.

"(2) Bureau of sanitary inspection and sanitary engineering.

"(3) Bureau of tuberculosis and contagious diseases.

"(4) Bureau of public information and education.

"SEC. 1407a-2. 1. The secretary and executive officer of the State board of health shall hereafter be designated and known as the State health officer. All duties, liabilities, authority, powers, and privileges heretofore or hereafter imposed or conferred by law upon the secretary or the executive officer of the State board of health are hereby imposed and conferred upon the State health officer, and all laws relating or referring to the secretary or the executive officer of the State board of health shall apply, relate, or refer to the State health officer so far as such laws are applicable.

"SEC. 1407a-3. 1. The State board of health shall from time to time divide the State into five sanitary districts. They shall appoint for each such district a deputy State health officer. Such deputy State health officers shall possess the same qualifications required of the State health officer. Each deputy State health officer shall hold his office during efficiency and good behavior and may be removed for cause by the State board of health after having been given an opportunity to be heard in his own defense. No deputy State health officer shall during his term of office engage in any occupation which would conflict with the performance of his official duties. Each deputy State health officer shall receive an annual salary to be fixed by the State board of health, but which shall not exceed \$3,000, and shall receive his expenses actually and necessarily incurred in the performance of his official duties.

"2. The deputy State health officer shall have jurisdiction throughout his district; and he shall have the right of entry into any workshop, factory, dairy, creamery, slaughterhouse, or other place of business or employment, when in pursuit of his official duties. The deputy State health officer shall carry out the instructions of the State board of health and shall make such investigations and reports as said State board of health may require. He shall, when required by the State board of health, with the help of local health officers, inspect and report upon the sanitary conditions of streams and sources of public water supplies, schools and schoolhouses, dairies, creameries, slaughterhouses, work-

shops, and factories, and all places where offensive trade or industries are conducted in his district.

"3. Such deputy State health officer shall also make careful inquiry, when required by the State board of health, as to the effects of the different kinds of employment upon the health of employees and operators, with special reference to tuberculosis and to lead and phosphorous poisoning and other industrial diseases, and in all such investigations and inquiries he shall have the power to administer oaths in regard to all matters pertaining thereto. He shall respond promptly when called upon for advice or assistance by any board of health or health officer within his jurisdiction, and it shall be his duty, and he is hereby authorized to enforce any public-health statute, or rule or regulation of the State board of health or of any local board of health or health officer within his district, when such local board of health or health officer neglects or refuses to enforce such statute, rule, or regulation, after due notice by him or by the State board of health.

"4. Each deputy State health officer, under the direction of the State board of health and subject to laws, rules, and regulations relating to the public health, shall, in addition to such other duties as are or may be imposed upon him, perform the following duties:

"(1) Keep himself informed as to the work of each local health officer within his district;

"(2) Aid each local health officer within his district in the performance of his duties, and particularly on the appearance of any contagious disease;

"(3) Assist each local health officer within his district in making an annual sanitary survey of the territory within his jurisdiction and in maintaining therein a continuous sanitary supervision;

"(4) Call together the local health officers within his district or any portion of it from time to time for conference upon the authority of the State board of health;

"(5) Adjust questions of jurisdiction arising between local health officers within his district;

"(6) Study the causes of excessive mortality from any disease in any portion of his district;

"(7) Promote efficient registration of marriages, births, deaths, and accidents;

"(8) Inspect from time to time all labor camps within his district, and enforce the regulations of the State board of health in relation thereto;

"(9) Endeavor to enlist the cooperation of all the organizations of physicians within his district in the improvement of the public health therein.

"SEC. 1407a-4. 1. The State board of health shall cooperate with the several educational institutions and the school system of this State in disseminating information to the general public in all matters pertaining to health, and shall use the research facilities of the university for the preservation and improvement of the public health under such rules and regulations as may be agreed upon with the regents of the university, and facilitate the special instruction of students in sanitation, hygiene, and vital statistics in any school or department of the University of Wisconsin in such manner which is not inconsistent with and which does not interfere with the orderly and efficient administration of the public-health work.

"SEC. 1407a-5. 1. Health officers of towns, villages, and cities, in addition to such other duties as are or may be lawfully imposed upon them and subject to the provisions of the public-health laws and the rules and regulations of the State board of health and under the direction of the deputy State health officer of their respective districts, shall perform the following duties:

"2. Make an annual sanitary survey and maintain a continuous sanitary supervision over the territory within their jurisdiction.

"3. Make a sanitary inspection periodically of all school buildings and places of public assemblage, and report thereon to those responsible for the maintenance of such school buildings and places of public assemblage;

"4. Promote the spread of information as to the causes, nature, and prevention of prevalent diseases, and the preservation and improvement of health;

"5. Take such steps as may be necessary to secure prompt and full reports by physicians of communicable diseases, and prompt and full registration of births and deaths;

"6. Enforce within their jurisdiction the provisions of the public-health law and the rules and regulations of the State board of health;

"7. Attend the annual conferences of sanitary officers called by the State board of health, and local conferences within his sanitary district to which he may be summoned by the deputy State health officer or upon the approval of the State board of health.

"SEC. 1407a-6. 1. The State board of health shall have supervision of the health and life of the citizens of the State and possess all powers necessary to fulfill the duties prescribed in the statutes and to bring action in the courts for the enforcement of health laws and health rules. They shall have power to make sanitary inspections and surveys in all parts of the State and, after due notice, to enter upon and inspect private property in regard to the presence of cases of infectious and contagious diseases and to determine the cause and source of disease.

"2. The State board of health shall have power to establish quarantine and to order and execute what is reasonable and necessary for the prevention and suppression of disease; to close schools and churches; forbid public gatherings when deemed necessary to control epidemics; to condemn and abate conditions causative of disease; to regulate and prescribe, by means of rules and regulations, the character and location of plumbing, drainage, water supply, disposal of sewage, garbage, or other waste material; the sanitary condition of streets, alleys, out-houses, cesspools, and all sanitary features connected therewith.

"3. The board shall have power to adopt and enforce rules and regulations governing the duties of all health officers and health boards and any violation of said rules shall be punished by a fine of not less than \$10 nor more than \$100 for each offense. All rules adopted and published in conformity with this section shall bear the seal of the State board of health and be attested by the State health officer. Such rules and regulations shall be published in the official State paper and distributed in pamphlet or leaf form to all health officers and any citizen asking for the same. Such rules and regulations shall not be effective until 30 days after their publication.

"4. All rules and regulations adopted and published by the State board of health, and all orders issued by said board in conformity with law shall be in force and shall be prima facie lawful; and all such orders, rules, and regulations shall be valid and in force, and prima facie reasonable and lawful until they are found otherwise in an action brought for that purpose or until altered or revoked by the State board of health. Any member of the State board of health shall have power to administer oaths, certify to official acts, issue subpoenas, compel the attendance of witnesses and production of papers, books, documents, and testimony. In case of the failure of any person to comply with any order of the board, or any subpoena lawfully issued, or on the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated, it shall be the duty of the circuit court of any county, or the judge thereof, on application of any member of the State board of health, to compel obedience by attachment

proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

"5. Every witness who shall appear before the board by its order shall receive for his attendance the fees and mileage now provided for witnesses in civil cases in courts of record, which shall be audited and paid by the State in the same manner as other expenses are audited and paid, upon the presentation of properly verified vouchers. But no witness subpoenaed at the issuance of parties other than the board shall be entitled to compensation from the State for attendance or travel unless the board shall certify that his testimony was material to the matter investigated. Fees and mileage paid under this section shall be charged to the general appropriation for the State board of health.

"6. The State board of health may, in any investigation, cause the depositions of witnesses residing within or without the State to be taken in the manner prescribed by law for like depositions in civil actions in circuit courts.

"7. A full and complete record shall be kept of all proceedings had before the board on any investigation, and all testimony shall be taken down by the stenographer appointed by the board.

"8. The State board of health may employ such clerical and other assistants as are necessary for the proper performance of the work of the board, and they may distribute appropriate powers and duties to the employees of the board not inconsistent with the constitution or the laws of this State.

"9. The board may from time to time employ competent persons to render sanitary service and make or supervise practical and scientific investigations and examinations requiring expert skill and prepare plans and reports relative thereto.

"10. The State health officer may issue warrants to any sheriff, constable, or policeman to apprehend and arrest such persons who disobey the quarantine orders or other rules and regulations of the board. Each warrant shall be forthwith executed by the officer to whom directed, who shall make due return of the execution thereof to the State health officer.

"11. If the owner or occupant of any premises whereon any nuisance detrimental to the public health exists fails to comply with any order of the board for the abatement or removal thereof, any member of the board, their agents or employees, may enter upon the premises to which such order relates and abate or remove such nuisance. The expense of such abatement or removal shall be paid by the owner or occupant of such premises or by the person who caused or maintained such nuisance and such expense shall be a lien upon the lands upon which the nuisance was maintained.

"12. Nothing in sections 1407a-1 to 1407a-6, inclusive, shall be construed to empower or authorize the board of health or its representative to interfere in any manner with the individual's right to select the physician or mode of treatment of his choice.

"SEC. 172-27. 5. There is annually appropriated on July 1, \$40,000, payable from any moneys in the general fund not otherwise appropriated, to the State board of health to carry into effect the powers, duties, and functions provided by law for said board. The appropriation shall be in addition to other appropriations provided in this section for said board.

"6. All moneys collected or received by each and every person for or in behalf of the State board of health and vital statistics shall be paid within one week of receipt into the general fund of the State treasury. All such deposits shall be for State account generally, except where by law such deposits are expressly appropriated for said board."